

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ANDREA GOLDBLUM,

PLAINTIFF,

CASE NO. 1:19-CV-398
JUDGE MCFARLAND

vs.

UNIVERSITY OF CINCINNATI,

DEFENDANT.

CLERK'S MEMORANDUM AS TO BILL OF COSTS

On May 4, 2022, Defendant, University of Cincinnati, filed its Bill of Costs [ECF No. 93-1], together with a Motion for Taxation of Costs and Memorandum in Support [ECF No. 93].¹ Also on May 4, 2022, the Clerk's Notice setting forth the Briefing Schedule was entered [ECF No. 95]. On May 18, 2022, Plaintiff filed her Response in Opposition to Defendant's Bill of Costs [ECF No. 97].² On May 26, 2022, Defendant filed its Reply to Plaintiff's Response [ECF No. 101]. On June 29, 2022, Defendant filed its Notice of Withdrawal of its Request for Expert Witness Costs Only [ECF No. 102].

Plaintiff filed a Notice of Appeal [ECF No. 91] on March 28, 2022. On March 10, 2023, the Court of Appeals for the Sixth Circuit entered its Order affirming the District Court's decision [ECF No. 104], and its Mandate on April 14, 2023 [ECF No. 105].

At this time, the Clerk finds that the Bill of Costs was timely filed and there is no need for the attorneys and their clients to incur further appearance costs for a hearing or a telephone conference.

¹ Defendant filed a duplicate entry at ECF No. 94 to correctly utilize the separate Motion event.

² Plaintiff filed her response at ECF No. 96 with an incorrect title and subsequently withdrew ECF No. 96; Clerk will rely on ECF No. 97 for the purposes of this Memorandum.

Fees for Printed or Electronically Recorded Transcripts

The Defendants seek costs in the amount of \$5,779.90 for the fees associated with deposition and hearing transcripts. The Court may assess the costs of taking a deposition in favor of the prevailing party. Depositions used for, or read into the record at, a hearing or trial can be taxed as costs. In addition, depositions that were used in successful motions for summary judgment, motions to dismiss, and motions to quash can be taxed as costs.

The invoices provided clearly indicate the costs associated with the deposition transcripts. Therefore, costs as to the deposition transcripts in the amount of \$5,779.90 are ALLOWED.

Fees and Disbursements for Printing and Witnesses

The Defendant seeks costs in the amount of \$81.00 for subpoena-related expenses for obtaining Plaintiff's cellular telephone records. The Clerk finds that the invoice provided clearly indicates the costs associated with the subpoena for Plaintiff's cellular telephone records and the costs are taxable. Therefore, costs as to the subpoenaed records in the amount of \$81.00 are ALLOWED.

Fees for Exemplification and the Costs of Making Copies of any Materials Where the Copies are Necessarily Obtained for Use in the Case

The Defendant seeks costs in the amount of \$257.40 for copies and exemplification of deposition exhibits. These expenses are clearly outlined in the invoices provided in conjunction with each corresponding deposition, and therefore, costs in the amount of \$257.40 are ALLOWED.

In conclusion, the Clerk has ALLOWED costs in the amount of \$6,118.30.

Pursuant to the provisions in FRCP 54(d), a motion to review the Clerk's taxation of costs must be served within seven (7) days of the taxation of costs.

RICHARD W. NAGEL, CLERK

/s/ *Christine Bono*

Christine Bono,
Case Management Supervisor